

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 250 be amended to read as follows:

- 1 Page 2, line 37, strike "2008," and insert "**2020**,".
- 2 Page 2, line 38, strike "ten" and insert "**twenty-five**".
- 3 Page 2, line 38, strike "(\$0.10);" and insert "**(\$0.25);**".
- 4 Page 3, line 5, strike "two" and insert "**one**".
- 5 Page 3, line 5, strike "(\$2,000,000)" and insert "**(\$1,000,000)**".
- 6 Page 3, line 14, strike "two" and insert "**one**".
- 7 Page 3, line 14, strike "(\$2,000,000)" and insert "**(\$1,000,000)**".
- 8 Page 3, line 29, delete "school" and insert "**college**".
- 9 Page 6, line 12, after "officio" insert "**nonvoting**".
- 10 Page 6, line 33, after "as" insert "**nonvoting members as**".
- 11 Page 7, between lines 2 and 3, begin a new paragraph and insert:
- 12 "**(f)The dean or the dean's designee shall serve as an ex officio**
- 13 **nonvoting member of the council.**".
- 14 Page 9, line 12, strike "Seven (7)" and insert "**A majority of the**
- 15 **voting members of the council constitutes a quorum. The**".
- 16 Page 9, line 12, after "votes" insert "**of at least a majority of the**
- 17 **quorum, and at least six (6) affirmative votes,**".
- 18 Page 10, line 17, delete "two" and insert "**one**".
- 19 Page 10, line 18, delete "(\$2,000,000)." and insert "**(\$1,000,000).**".
- 20 Page 14, between lines 40 and 41, begin a new paragraph and insert:
- 21 "**SECTION 4. IC 15-9-5 IS ADDED TO THE INDIANA CODE AS**
- 22 **A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY**
- 23 **1, 2007]:**

Chapter 5. E85 Fueling Station Grant Program

Sec. 1. As used in this chapter, "E85 base fuel" has the meaning set forth in IC 6-6-1.1-103.

Sec. 2. As used in this chapter, "fueling station" refers to tangible property (other than a building and its structural components) consisting of:

- (1) a tank;**
- (2) a pump; and**
- (3) other components;**

that is used by a person engaged in the business of selling motor fuel at retail to enable motor fuel to be dispensed directly into the fuel tank of a customer's motor vehicle.

Sec. 3. As used in this chapter, "location" refers to one (1) or more parcels of land that:

- (1) have a common access to a public highway; and**
- (2) are or would appear to the reasonable person making an observation from a public highway to be part of the same business.**

Sec. 4. As used in this chapter, "motor vehicle" means any vehicle that:

- (1) is manufactured primarily for use on public streets, roads, and highways (not including a vehicle operated exclusively on a rail or rails); and**
- (2) has at least four (4) wheels.**

Sec. 5. As used in this chapter, "qualified investment" refers to an ordinary and usual expense that is incurred after June 30, 2007, to do any of the following:

- (1) Purchase any part of a renewable fuel compatible fueling station for the purpose of installing the new renewable fuel compatible fuel station at a location on which a fueling station is not located.**
- (2) Purchase any part of a renewable fuel compatible fueling station for the purpose of replacing an existing fueling station that is not a renewable fuel compatible fueling station into a fueling station that is a renewable fuel compatible fueling station.**
- (3) Refit any part of a fueling station that is not renewable fuel compatible as a renewable fuel compatible fueling station, including the costs of cleaning storage tanks and piping to remove petroleum sludge and other contaminants.**

Sec. 6. As used in this chapter, "renewable fuel compatible" means:

- (1) capable of storing and delivering E85 base fuel without contaminants resulting from deterioration from constant contact with alcohol fuels; and**
- (2) in conformity with applicable governmental standards, if any, and other nationally recognized standards applying to**

1 storage and handling of E85 base fuel, as determined under
2 the standards prescribed by the department.

3 Sec. 7. (a) The department may award a grant under this
4 chapter to a person that:

5 (1) makes a qualified investment; and

6 (2) places the qualified investment in service;
7 in Indiana for the dispensing of E85 base fuel into the fuel tanks of
8 motor vehicles.

9 (b) A recipient of a grant awarded under this chapter must
10 comply with any guidelines developed by the state department of
11 agriculture's office of energy and defense development.

12 Sec. 8. A grant awarded under this chapter may not exceed the
13 following:

14 (1) For a qualified investment listed under section 5(1) of this
15 chapter, five thousand dollars (\$5,000).

16 (2) For a qualified investment listed under section 5(2) of this
17 chapter, two thousand five hundred dollars (\$2,500).

18 (3) For a qualified investment listed under section 5(3) of this
19 chapter, one thousand five hundred dollars (\$1,500).

20 Sec. 9. The department shall do the following:

21 (1) Prepare and supervise the issuance of public information
22 concerning the grant program established under this chapter.

23 (2) Prescribe the form and regulate the submission of
24 applications for grants under this chapter.

25 (3) Determine an applicant's eligibility for a grant under this
26 chapter.

27 Sec. 10. The total amount of grants awarded under this chapter
28 for all state fiscal years may not exceed one million dollars
29 (\$1,000,000).

30 Sec. 11. (a) The E85 fueling station grant fund is established to
31 provide grants under this chapter.

32 (b) The fund consists of appropriations from the general
33 assembly.

34 (c) The treasurer of state shall invest the money in the fund not
35 currently needed to meet the obligations of the fund in the same
36 manner as other public funds may be invested.

37 (d) The money in the fund at the end of a state fiscal year does
38 not revert to the state general fund but remains in the fund to be
39 used exclusively for purposes of this chapter.

40 (e) Money in the fund is continuously appropriated for the
41 purposes of this chapter.

42 Sec. 12. A grant awarded under this chapter is not subject to
43 taxation under IC 6-3-1 through IC 6-3-7.

44 Sec. 13. A grant awarded under this chapter does not reduce the
45 basis of the qualified property for purposes of determining any
46 gain or loss on the property when the grant recipient disposes of
47 the property.".

- 1 Page 18, line 4, delete "producers." and insert "**purchasers.**".
- 2 Renumber all SECTIONS consecutively.
(Reference is to ESB 250 as printed April 6, 2007.)

Representative Grubb